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**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY**

STEHLER HARRIS and DAVID ELLIOT,	)	
individually and on behalf of all others	)	Civil Action No. 2:20-cv-02202
similarly situated,	)	(MCA)(MAH)
	)	
Plaintiffs,	)	Honorable Madeline Cox Arleo
	)	United States District Judge
v.	)	
	)	Honorable Michael A. Hammer
EVONIK CORPORATION, PRESIDENT	)	United States Magistrate Judge
OF EVONIK CORPORATION, BOARD	)	
OF DIRECTORS OF EVONIK	)	CLASS ACTION
CORPORATION, EVONIK INVESTMENT	)	
COMMITTEE, and JOHN DOES 1-30.	)	<b><u>ORAL ARGUMENT REQUESTED</u></b>
	)	
Defendants.	)	

**NOTICE OF MOTION FOR DEFENDANTS' MOTION FOR SUMMARY JUDGMENT**

**PLEASE TAKE NOTICE** that on March 4, 2024 or as soon thereafter as counsel may be heard, Defendants Evonik Corporation (“Evonik”), the President of Evonik, the Board of Directors of Evonik, and the Evonik Investment Committee (collectively, “Defendants”), by and through its undersigned counsel, will move this Court at the Martin Luther King Building and U.S. Courthouse, 50 Walnut Street, Newark, New Jersey 07102 for summary judgment under Federal Rule of Civil Procedure 56.

**PLEASE TAKE FURTHER NOTICE** that in support of this motion, Defendants rely on the Brief in Support of Defendants’ Motion for Summary Judgment, the Statement of Undisputed Material Facts in Support of Defendants’ Motion for Summary Judgment, the Declarations of

Christopher Rowllins, Stacey C.S. Cerrone and Randy Cherkis and the accompanying exhibits submitted herewith.

**PLEASE TAKE FURTHER NOTICE** that, per the stipulated briefing schedule entered in this matter, Plaintiffs shall file and serve their opposition paper, if any, by November 2, 2023, and Defendants shall file and serve their reply papers, if any, by November 17, 2023. ECF No. 85.

Dated: September 28, 2023

**JACKSON LEWIS P.C.**

s/ Carla D. Macaluso

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***Attorneys for Defendants***

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**CERTIFICATE OF SERVICE**

I hereby certify that on September 28, 2023, a true and correct copy of the foregoing document was filed with the Court utilizing its ECF system, which will send notice of such filing to all counsel of record.

*s/ Carla D. Macaluso*

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